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OF THE
UNITED STATES OF AMERICA

DEPARTMENT OF STATE
L/T
FEB 25 1948
TREATY BRANCH
OFFICE OF THE LEGAL ADVISER

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AMERICAN EMBASSY

Rome, Italy, February 3, 1948

LEGAL ADVISER
FEB 25 1948
DEPARTMENT OF STATE

UNCLASSIFIED (except as noted)

No. 186

SUBJECT: Treaty of Friendship, Commerce and Navigation Between the United States of America and the Italian Republic: Transmitting Signed Original Copies and Summary Minutes of Negotiations

ATTENTION: Treaty Affairs, Office of the Legal Adviser

RECEIVED
DEPARTMENT OF STATE
1948 FEB 20 AM 8 59

THE HONORABLE

THE SECRETARY OF STATE,

WASHINGTON.

SIR:

I have the honor to transmit to you with this despatch a signed original copy of the Treaty of Friendship, Commerce and Navigation Between the United States of America and the Italian Republic which, as authorized by your telegram no. 240 of January 28, 6 p.m., I signed in duplicate original at 6:20 p.m., February 2, 1948, at Palazzo Chigi. The Honorable Carlo SFORZA, Minister Secretary of State for Foreign Affairs, signed the Treaty for the Italian Government. His Full Power is enclosed with the signed original of the Treaty.

In addition to the signed original (English-Italian), I enclose ten additional prints of the corresponding Treaty text and ten complete sets, of which two are signed originals, of the Summary Minutes of the 16 meetings held by the American and Italian negotiators during the period September 16 through December 23, 1947. Certain comments concerning the translation of the Treaty are contained in Summary Minutes of a meeting held on January 13, 1948 by a Drafting Sub-Committee.

At the time of signature of the Treaty, I delivered to Count Sforza the Full Power authorizing me to sign the Treaty, forwarded with your despatch no. 240 of October 11, 1947, and after the ceremony of signature an Exchange of Notes took place with respect to cultural relations between the two countries. I shall transmit the original of Count Sforza's Note and a certified copy of mine by separate despatch.

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Although the printed texts of the Treaty were proof-read and reprinted two times, the third and final printing took place on the day of signature of the Treaty and it was impossible in the available time to correct several minor errata of a typographical nature which persisted in the text. These are listed on a separate sheet enclosed with the original and with each copy of the Treaty. The Embassy notes that in similar instances of minor errata in the past (see for example, the International Load Line Convention, US Statutes at Large, Vol. 47, Part 2, p. 2228), such obvious errors were corrected in the text which was sent to the Senate for approval and subsequently proclaimed by the President. In the case of the Italian text, the three minor errata were hand-corrected on the original copies before signature, but those in the English text were left unchanged in deference to the Department's judgment on this point.

Both Count Sforza and I delivered brief addresses at the signature ceremony, which was attended by Foreign Office officials and members of the Italian delegation for the Treaty, including Mr. Ivan Matteo LOMBARDO, President of the delegation, as well as by several members of my staff and a large press representation. The texts of the two speeches are enclosed.

In his speech Count Sforza requested me to inform my Government of "the satisfaction of the Italian Government in the conclusion of this Treaty which formally reaffirms the traditional and now renewed fruitful relations between the two countries, in the service of peace and of the evermore widespread economic and moral cooperation among people of good will."

I need hardly report that the negotiations for the Treaty, although lengthy, were conducted in a most friendly and receptive manner on the part of all participants. From the beginning the Italian negotiators were disposed to accept our proposed draft on all important questions, and the discussions were extended in time only because of the comprehensive nature of the Treaty and the conscientious examination desired by the Italian delegation.

Respectfully yours,

James Clement Dunn

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pkg. att. 4 #2 of 2 of 84 with orig. to LE

Enclosures:

1. Original signed copy of Treaty of Friendship, Commerce and Navigation Between the United States of America and the Italian Republic. Full Power of Count Sforza enclosed.

Retained in Secretariat 2/13

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Despatch No. 186
February 3, 1948.

2. Ten copies of printed texts (English-Italian) of Treaty. / without orig
3. Signed original copies, complete set, of Summary Minutes of meetings in negotiations for Treaty. (Two copies). CONFIDENTIAL signed copy #LC-1 / without orig
4. Eight copies of Summary Minutes of negotiations. CONFIDENTIAL / without orig
5. Address of Minister of Foreign Affairs, February 2, 1948, at signature of Treaty. (In Italian). (2 sets)
6. Address of Ambassador Dunn at signature of Treaty. (2 sets)

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Original and hectograph
to the Department.

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Enclosure No. 5 to Despatch No. 186, February 3, 1948, American Embassy, Rome, Italy.

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SIGNATURE OF FCN TREATY - Count Sforza
FEBRUARY 2, 1948, 6 p.m.

Signor Ambasciatore,

I nostri due popoli possono esser lieti e fieri che noi oggi firmiamo per essi questo trattato. Infatti esso e' un importantissimo strumento di pace, per la sua enunciazione per lo spirito che le informa, per gli orizzonti che dischiude agli interessi legittimi dei due popoli. Concepito e discusso con una profonda volonta' di servire d'esempio a chiunque voglia fare opera di pace e di umana dignita' nel mondo, esso onora i suoi negoziatori; e poiche' l'On. Lombardo e' presente voglio que ringraziarlo caldamente a nome del Governo della Repubblica Italiana per la tenace e feconda s azione.

Attribuiamo anche un alto significato allo scambio di lettere che prevede prossime ampie intese per gli accordi culturali tra i nostri due Paesi; noi vogliamo infatti che le nostre due democrazie diano anche nel campo della cultura l'esempio di una collaborazione senza compartimenti stagni e senza frontiere.

E' di felice auspicio per noi che questo trattato di amicizia, commercio e navigazione sia il primo atto di tal portata che gli Stati Uniti concludono con un Paese europeo dopo la fine della guerra.

La prego, Signor Ambasciatore, di rendersi interprete presso il Suo Governo della soddisfazione del Governo Italiano per la stipulazione di questo trattato che consacra, anche formalmente, i tradizionali e rinnovati fecondi rapporti fra i due Paesi, al servizio della pace e della cooperazione economica e morale sempre piu' larga fra tutti i popoli di buona volonta'.

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Enclosure No. 6 to Despatch No. 186, February 3, 1948, American Embassy, Rome, Italy.

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SIGNATURE OF FCN TREATY - AMBASSADOR'S SPEECH, FEBRUARY 2, 1948, 6 p.m.

It is with greatest personal pleasure, Mr. Minister, and with a live sense of satisfaction as representative of the President of the United States and on behalf of the American people that I join with you in signing this Treaty of Friendship, Commerce and Navigation.

It is not too much to say that this is a historic document. It signifies a resumption of the formal treaty relations which existed between the United States and Italy from 1871, when the first Treaty of Friendship was signed, until it was terminated in December 1937.

I am confident that this new Treaty will endure even longer as a firm foundation for mutually satisfactory relations in many broad fields of activity. Its provisions establish standards to govern the status and activities of persons and of corporations, the protection of persons and property, the treatment of vessels, the privilege of transit, the right of freedom to transmit information, the basic rules to be observed in commercial and financial relations, and many other matters.

Because of the considerable changes which have taken place in economic life and in international relations during the past 75 years, this Treaty is of course more comprehensive and more responsive to modern conditions than its predecessor.

I am particularly pleased that this new and more modern Treaty should be concerned not only with the relations between our two countries but also with the responsibility of each of our countries to contribute to international cooperation. In the commercial and financial provisions of the Treaty, above all, the standards of international conduct to which we have agreed are closely related to those prescribed in the agreement establishing the International Monetary Fund and in the proposed Charter for an International Trade Organization. Similarly the provision for free exchange of information follows the principles supported by the United Nations Educational, Scientific and Cultural Organization.

As I said when negotiations for this Treaty were begun last September 16, it is possible to establish satisfactory principles as a basis for future relations between nations only by mutual agreement and consent. Our negotiations here have been conducted in such a spirit of mutual comprehension and complete agreement.

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It is only to allay any unfounded doubts that I wish to confirm categorically that neither the United States nor Italy has sought or obtained through this Treaty any special or exclusive privileges.

With the exception of certain minimum guarantees which are recognized as essential and accepted by all advanced countries, the Treaty provisions are based on either one or both of two principles: first, that foreigners in each country should, in certain matters, have the same protection and enjoy the same rights as are granted to nationals, or second, that all foreigners should be treated equally. Thus, Italian nationals in the United States under this Treaty are guaranteed equal treatment with American citizens in certain matters and, at the least, are guaranteed the same treatment as the United States may accord to any other foreign nationals.

On behalf of the American delegation which negotiated this Treaty, Mr. Minister, I am most happy to convey to you, to Sig. Lombardo and to the members of the Italian delegation the high esteem and respect which we have for the conscientious and, at the same time, understanding spirit in which the negotiations were conducted. These are, indeed, qualities which well express the spirit of friendship which this Treaty seals.

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Enclosure No. 1 to despatch No. 186, February 3, 1948, American Embassy, Rome, Italy.

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...ENT OF FOR... MINISTRY - Count Sforza
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Enclosure No. 6 to Despatch No. 186, February 3, 1948, American Embassy, Rome, Italy.

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SIGNING OF FCN TREATY - ALLESSANDRI PALACE, FEBRUARY 2, 1948, 6 p.m.

It is with greatest personal pleasure, Mr. Minister, and with a live sense of satisfaction as representative of the President of the United States and on behalf of the American people that I join with you in signing this Treaty of Friendship, Commerce and Navigation.

It is not too much to say that this is a historic document. It signifies a resumption of the formal treaty relations which existed between the United States and Italy from 1871, when the first Treaty of Friendship was signed, until it was terminated in December 1937.

I am confident that this new Treaty will endure even longer as a firm foundation for mutually satisfactory relations in many broad fields of activity. Its provisions establish standards to govern the status and activities of persons and of corporations, the protection of persons and property, the treatment of vessels, the privilege of transit, the right of freedom to transmit information, the basic rules to be observed in commercial and financial relations, and many other matters.

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CONFIDENTIAL

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